

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

APR 26 2005

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Darryl Patrick Sargent	Case Number: 2:99CR00159-001
Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge	
Date of Original Sentence: 4/10/2000	Type of Supervision: Supervised Release
Original Offense: Distribution of Methamphetamine Distribution of Methamphetamine	Date Supervision Commenced: 8/10/2001
Distribution of Methamphetamine within 1000 feet of a public school	
Original Sentence: Prison - 24 Months; TSR - 72 Months	Date Supervision Expires: 8/9/2007

PETITIONING THE COURT

You shall reside and participate in a community corrections center for a period of up to 180 days. You shall comply with the rules and requirements of that facility.

CAUSE

Darryl Sargent violated the conditions of his supervised release by consuming methamphetamine and alcohol on or about March 29 and 30, 2005, contrary to standard condition number 7 and special condition number 19.

On April 1, 2005, Darryl Sargent was summoned to the United States Probation Office for urine testing. The sample was tested in the probation office laboratory and returned a presumptive positive reading for methamphetamine. The sample was subsequently forwarded to Quest Laboratory for further analysis.

When questioned about this matter, Darryl Sargent initially denied consuming controlled substances. On April 14, 2005, the undersigned officer received confirmation that the sample collected on the aforementioned date was positive for methamphetamine metabolites.

On April 15, 2005, Darryl Sargent was again summoned to the office. The offender admitted he had consumed methamphetamine and alcohol excessively while partying with friends. Darryl Sargent signed an admission of drug use acknowledging he consumed alcohol and methamphetamine on March 29 and 30, 2005.

Mr. Sargent has obviously experienced problems with illicit drug use since supervision commenced on August 10, 2001. This is his fifth reported use of controlled substances.

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The Court may recall, the offender's conditions of supervision were modified following his appearance on September 18, 2002, to address reported drug use. The Court ordered the offender to abstain from alcohol and stay out of establishments where served. Darryl Sargent was also ordered to complete a term of 120 days at the Turner House.


The offender successfully completed outpatient counseling on June 4, 2003. On April 15, 2005, Darryl Sargent was referred to New Horizon Counseling and directed to resume treatment. Random urine testing will continue during supervision. He continues to work full-time as a brick mason.

On April 15, 2005, Darryl Sargent signed a waiver of hearing agreeing to participate in a community corrections center for a period of up to 180 days. The offender is amenable to substance abuse counseling and residing in a stable environment while addressing his drug abuse issues. The undersigned officer will facilitate placement at the Turner House, if Your Honor concurs.

It is respectfully recommended that the attached waiver of hearing to modify conditions of supervised release be adopted to require Darryl Sargent to reside in, and satisfactorily participate in, a community corrections center program as a condition of supervised release up to 180 days.

Respectfully submitted,

by



Tommy Rosser
U.S. Probation Officer
Date: April 15, 2005

THE COURT ORDERS

- ☐ No Action
☐ The Extension of Supervision as Noted Above
☒ The Modification of Conditions as Noted Above
☐ Other


Signature of Judicial Officer
Date